THE HON'BLE Mr. JUSTICE V. ESWARAIAH

Writ Petition No.2596 of 2006

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Dated: February 13, 2006

Between:

A. Vaidyanath, S/o. Sri A. Veeranna,
aged 30 years, Business, R/o. 2-2-22-,
Kondangal Road, Tandur, R.R. District,
and another.

… Petitioner

And

The Joint Collector-II, Rangareddy District,
at Lakdikapul, Hyderabad, and two others.

… Respondents

Order:

The petitioners question the order of the Joint Colletor-II, Ranga Reddy District

dated –01-2006 in Proc.No.E2/5566/2005 in exercise of his powers under Section 166-B of (TA) Land Revenue Act, 1317 F. By the said order, the land assigned to an extent of Ac.1.02 guntas in favour of each of the petitioners, was cancelled by the impugned proceedings.

2. Learned counsel for the petitioners submits that in fact, no specific allegations have been made in the show cause notice dated
21-11-2005 about the factual position of the agricultural lands, other properties and the financial soundness of the petitioner to come to a decision that the petitioners are not landless poor.

3. On the other hand, learned Government Pleader appearing for the respondents submits that specific reasons have been given in the show cause notice stating that the petitioners are not landless poor and they do not come within the definition of landless poor. It is stated that the petitioners are financially sound having agricultural property and they also own three cinema theaters in the name of the joint family, therefore, the petitioners being the members of the joint family, cannot contend that they are landless poor. It is further stated that in fact, pursuant to the said orders, the possession of the land was already taken over, duly conducting Panchanama and the same has been handed over to the custody of the Panchayat Secretary, Kokat.

4. Admittedly, there is a power of review by the Government under Section 166 (c) against the order passed by the Joint Collector, if the same is filed within 90 days from the date of passing such order.

5. Learned counsel for the petitioner submits that the petitioner would like to avail the remedy by way of filing review petition before the Government.

6. Having regard to the facts and circumstances of the case, the writ petition is dismissed granting liberty to the petitioner to file a review before the Government, under Section 166 (c) of the Act.

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V. ESWARAIAH, J.

February 13, 2006

N.B. **Furnish copy in three days**

B/o

MRR